

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION**

PARUS HOLDINGS INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

C.A. No.: 6:19-cv-00432-ADA
(Lead Case)

JURY TRIAL DEMANDED

PARUS HOLDINGS INC.,

Plaintiff,

v.

GOOGLE LLC,

Defendant.

C.A. No.: 6:19-cv-00433-ADA
(Consolidated Case)

PARUS HOLDINGS INC.,

Plaintiff,

v.

LG ELECTRONICS INC. and LG
ELECTRONICS U.S.A., INC.,

Defendants.

C.A. No.: 6:19-cv-00437-ADA
(Consolidated Case)

PARUS HOLDINGS INC.,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD. and
SAMSUNG ELECTRONICS AMERICA,

Defendants.

C.A. No.: 6:19-cv-00438-ADA
(Consolidated Case)

PARUS HOLDINGS INC.,

Plaintiff,

v.

AMAZON.COM, INC.,

Defendant.

C.A. No.: 6:19-cv-00454-ADA
(Consolidated Case)

JOINT CLAIM CONSTRUCTION STATEMENT

Pursuant to the Court’s Scheduling Order (Dkt. No. 85), Plaintiff Parus Holdings Inc. (“Plaintiff”) and Defendant Apple Inc. and Consolidated Defendants Google LLC, LG Electronics, Inc., LG Electronics USA, Inc., Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Amazon.com, Inc. (collectively “Defendants”) submit this Joint Claim Construction Statement for the asserted claims of United States Patent No. 7,076,431 (“the ’431 Patent”) and United States Patent No. 9,451,084 (“the ’084 Patent”).

The chart below identifies: the disputed claims terms for each patent; the claims in which each disputed claim term appears in which patent; which side or party proposed each claim term for construction; and each side or party’s proposed constructions for each disputed claim term.

TABLE OF DISPUTED CLAIM TERMS FOR CONSTRUCTION

U.S. Patent Nos. 7,076,431 & 9,451,084			
Claim(s)	Plaintiff's Proposed Construction	Defendants' Proposed Constructions	
Plaintiff Proposed Claim Terms			
'431: 1 '084: 1	“voice enabled device”	“a wired or wireless voice communication device associated with audio input (e.g., a microphone) and audio output (e.g., a speaker) capabilities”	All Defendants: “wireline or wireless telephone, IP phone, wireless PDA, or other wireless device”
Jointly Proposed Claim Terms			
'431: 1, 5, 6 '084: 1, 5, 6	“speaker-independent speech recognition device”	“device capable of recognizing spoken audible inputs that need not be trained to recognize the voice patterns of an individual user”	Amazon, Apple: “speech recognition device that does not adapt to individual speakers” Google, LG, Samsung: “speech recognition device that does not use predefined voice patterns to recognize spoken words”
'431: 1 '084: 1	“recognition grammar”	“what a user can say in natural language that will be recognized by the speech recognition device”	Google, LG, Samsung: “a predefined subset of words and predefined rules specifying the sequences in which a user can put those words so that they can be recognized by the speech recognition engine” Amazon, Apple: “predefined set of words and phrases a user can say that will be recognized by the speech recognition engine”
Defendants Proposed Claim Terms			
'431: 1, 7, 9, 10, 13, 14 '084: 1, 7, 10, 14	“web site”	Plain and ordinary meaning	All Defendants: “collection of linked and related web pages for browsing by a user with a web browser”

U.S. Patent Nos. 7,076,431 & 9,451,084			
Claim(s)		Plaintiff's Proposed Construction	Defendants' Proposed Constructions
'431: 1 '084: 1	select the corresponding recognition grammar upon receiving [said/the] speech command	Plain and ordinary meaning	Amazon, Google, LG, Samsung: “upon receiving [said/the] speech command, select the recognition grammar for the corresponding category of information”
'431: 1 '084: 1	“instruction set for identifying [said/the] information to be retrieved”	Plain and ordinary meaning	Amazon: Governed by pre-AIA 35 U.S.C. § 112, ¶ 6. Function: identifying [said/the] information to be retrieved Structure: Indefinite
'431: 1 '084: 1	“access at least one of [said/the] plurality of web sites identified by [said/the] instruction set to obtain [said/the] information to be retrieved”	Plain and ordinary meaning	Google, LG, Samsung: “search at least one of [said/the] plurality of web sites identified by [said/the] instruction set to obtain [said/the] information to be retrieved, not including retrieving a specific resource from a specific web site”
'084: 1	“the speech command comprising an information request provided by the user”	Plain and ordinary meaning	Google, LG, Samsung: Indefinite
'431: 1	“said computer configured to first access said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, said computer configured to sequentially access said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed”	Plain and ordinary meaning	Amazon: Governed by pre-AIA 35 U.S.C. § 112, ¶ 6. Function: first accessing said first web site of said plurality of web sites and, if said information to be retrieved is not found at said first web site, sequentially accessing said plurality of web sites until said information to be retrieved is found or until said plurality of web sites has been accessed Structure: computer performing algorithm described in the specification of the '431 Patent at 7:14-34 and Tables 3, 4.

U.S. Patent Nos. 7,076,431 & 9,451,084			
Claim(s)		Plaintiff's Proposed Construction	Defendants' Proposed Constructions
'084: 1	"the computing device configured to access a first web site of the plurality of web sites and, if the information to be retrieved is not found at the first web site, the computer configured to access the plurality of web sites remaining in an order defined for accessing the listing of web sites until the information to be retrieved is found in at least one of the plurality of web sites or until the plurality of web sites have been accessed"	Plain and ordinary meaning	<p><u>Amazon:</u> Governed by pre-AIA 35 U.S.C. § 112, ¶ 6.</p> <p><u>Function:</u> accessing a first web site of the plurality of web sites and, if the information to be retrieved is not found at the first web site, accessing the plurality of web sites remaining in an order defined for accessing the listing of web sites until the information to be retrieved is found in at least one of the plurality of web sites or until the plurality of web sites have been accessed</p> <p><u>Structure:</u> computer performing algorithm described in the specification of the '084 Patent at 7:27-48 and Tables 3, 4.</p>

Dated: July 31, 2020

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing document has been served on July 31, 2020 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system.

/s/ Andrew H. DeVoogd
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